

UNITED STATES DISTRICT COURT

for the

District of

Division

2019 FEB -5 AM 8:15

U.S. DISTRICT COURT
MIDDLE DISTRICT OF TN

Case No.

(to be filled in by the Clerk's Office)

Ivan Antjuan Burley

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Jury Trial: (check one) ☐ Yes ☐ No

Sumner County Drug Task Force

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS
(Non-Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name Ivan Burley
Address P.O. Box 90007
Nashville TN 37209
City State Zip Code
County Davidson
Telephone Number N/A
E-Mail Address N/A

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name Sumner County 18th Judicial Drug Task Force
Job or Title (if known) _____
Address P.O. Box 538
Gallatin TN 37066
City State Zip Code
County Sumner
Telephone Number 615-451-6021
E-Mail Address (if known) _____
☐ Individual capacity ☒ Official capacity

Defendant No. 2

Name _____
Job or Title (if known) _____
Address _____

City State Zip Code
County _____
Telephone Number _____
E-Mail Address (if known) _____
☐ Individual capacity ☐ Official capacity

Defendant No. 3

Name _____

Job or Title (if known) _____

Address _____

City

State

Zip Code

County _____

Telephone Number _____

E-Mail Address (if known) _____

☐

Individual capacity

☐

Official capacity

Defendant No. 4

Name _____

Job or Title (if known) _____

Address _____

City

State

Zip Code

County _____

Telephone Number _____

E-Mail Address (if known) _____

☐

Individual capacity

☐

Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐Federal officials (a *Bivens* claim)☒

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

4th Amendment right, 5th Amendment right

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

4th Amendment right, 5th Amendment right

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

Sumner County task force agents were acting on behalf of Sumner County
Tennessee

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

The events occurred at 5089 Cobblestone Creek Dr. Whites Creek, TN 37189.

- B. What date and approximate time did the events giving rise to your claim(s) occur?

Davidson County Chancery court ruling made in May of 2018

02/08/2016 property seized ; 02/22/2016 (3) Three forfeiture warrants obtained.

- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

On the above mentioned dates, Sumner County task force agents seized and subsequently obtained forfeiture warrants for property recovered while executing a search warrant at the above listed location. Metro Nashville officers were present at the time of the search and seizure. Davidson Co. Chancery court ruled that the Sumner Co. Circuit Judge lacked the legal authority to issue the civil forfeiture warrants. Further, Sumner County disregarded Davidson County judicial orders to hold any evidence seized in safe keeping until further direction from Davidson County courts. The funds that were seized and ultimately returned were pivotal in the functioning of my real estate business.

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

Pain & Suffering

Mental Anguish

Emotional Distress

Intentional infliction of emotional distress

Lost Earnings

Lost potential earnings

Loss of Consortium

Due to the ongoing nature of the effects of the task force's actions, I have not been able to receive medical treatment.

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

I would like the court to exact justice on my behalf. I am requesting monetary compensation for the hardships endured.

I am requesting the sum of \$20,000,000 USD. I understand that this is a large sum of money. These monies are compensation for earnings lost with my real estate business. Also included in this sum is compensation for lost potential earnings as well as pain and suffering. The monetary, physical and emotional damages inflicted upon my family and I are irreparable.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

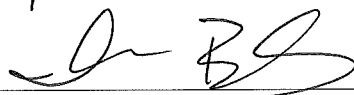
A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 02/05/19

Signature of Plaintiff

Printed Name of Plaintiff



Ivan Antjuan Burley

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address